

EXHIBIT 9

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK

STATE OF WASHINGTON,)
Plaintiff,) No. 85-1-00007-2
vs.)
LEON RAY SPENCER,)
Defendant.) JUDGMENT AND SENTENCE

THIS MATTER having come on regularly for hearing
this 23rd day of May, 1985, the defendant being present
in person and represented by his undersigned attorney, the
State being represented by the undersigned deputy prosecuting
attorney, the defendant having previously entered valid pleas
of guilty to:

Count I - Statutory Rape I - RCW 9A.44.070 (1)
committed on an unknown date during the summer of 1983, and

Count II - Statutory Rape I - RCW 9A.44.070 (1)
committed on an unknown date during the summer of 1983,

the court having afforded each counsel the right to speak,
having asked the defendant if he wished to
make a statement in mitigation of punishment, and having
heard and considered both counsel, and the defendant, now,
therefore, the court ORDERS, ADJUDGES AND DECREES:

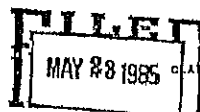
1. The defendant is guilty of the above crimes.

2. The defendant is hereby sentenced to confine-
ment at hard labor in a penal institution under the juris-
diction of the State of Washington, Department of Corrections,
for maximum terms of:

Life on Count I and Life on Count II, said
maximum terms to run consecutive.

3. Defendant is hereby remanded to the custody

Judgment and Sentence -



George J. Miller, Clerk, Clark Co.

for
Left
this document affix his thumb prints thereto.
Deputy
Right Thumb
244/248

1 of the Clark County Sheriff for detention until delivered
2 into the custody of officers of the State of Washington
3 Department of Corrections, for transportation to a
4 correctional facility designated by the Department.

5 DONE in Open Court and in the presence of the
6 defendant this 23 day of May, 1985

7 *James H. Lodge*
8 JUDGE OF THE SUPERIOR COURT

9 APPROVED AS TO FORM:

10 *James H. Peters*
11 Deputy Prosecuting Attorney

12 *James E. Rulli*
13 Defense Attorney

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Judgment and Sentence - 2

CLARK COUNTY PROSECUTING ATTORNEY
300 FRANKLIN
VANANUVE WASHINGTON 98111
(206) 462-2221

1 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
 2 IN AND FOR THE COUNTY OF CLARK
 3
 4

STATE OF WASHINGTON,)

Plaintiff,)

No. 85-1-00007-2

vs.)

LYLDE RAY SPENCER,)

Defendant.)

FINDINGS OF FACT,
 CONCLUSIONS OF LAW AND
 JUDGEMENT AND SENTENCE
 (PRISON)

MAY 23 1985

George J. Miller, Clerk, Clark Co.

THIS MATTER having come on regularly for sentencing
 on the 23rd day of May, 1985, the defendant being present
 and represented by his undersigned attorney, with the State
 being represneted by the undersigned deputy prosecuting
 attorney, and the defendant having previously entered valid
 pleas of guilty to:

Count III - Statutory Rape I - RCW 9A.44.070 (1);

Count VII - Statutory Rape I - RCW 9A.44.070 (1);

Count IX - Complicity to Statutory Rape I - RCW
 9A.44.070 (1), RCW 9A.08.020 (1),
 (2) and (a) and RCW 9A.08.020 (1),
 (2), (c), (3), (a) and (i);

Count X - Complicity to Statutory Rape I - RCW
 9A.44.070 (1), RCW 9A.08.020 (1),
 (2) and (a) and RCW 9A.08.020 (1),
 (2), (c), (3), (a) and (i);

Count XII - Statutory Rape I - RCW 9A.44.070 (1);

Count XIII - Complicity to Statutory Rape I - RCW
 9A.44.070 (1), RCW 9A.08.020 (1),
 (2) and (a) and RCW 9A.08.020 (1),
 (2), (c), (3), (a) and (i);

Count XIV - Complicity to Statutory Rape I - RCW
 9A.44.070 (1), RCW 9A.08.020 (1),
 (2) and (a) and RCW 9A.08.020 (1),
 (2), (c), (3), (a) and (i);

Count XV - Statutory Rape I - RCW 9A.44.070 (1); and

Findings, Conclusions, Judgment and Sentence
 (Prison) - 1

CLARK COUNTY PROSECUTING ATTORNEY
 1209 FRANKLIN
 P.O. BOX 5000
 VANCOUVER, WASHINGTON 98668
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Left Thumb
 I attest that I saw the same defendant who appeared
 on this document affix his thumbprints thereto.
 OF THE SUPERIOR COURT OF CLARK COUNTY:
 Deputy

Right Thumb

Count XVI - Statutory Rape I - RCW 9A.44.070 (1),
 and the court having afforded each counsel the right to
 speak, having asked the defendant if he wished to make a
 statement in mitigation of punishment, and having heard and
 considered the arguments presented, now, therefore, the
 Court makes the following:

1. FINDINGS OF FACT

1. The defendant is guilty of the above-listed
 crimes;

2. The maximum terms for the above crimes are:

Count III - Life
 Count VII - Life
 Count IX - Life
 Count X - Life
 Count XII - Life
 Count XIII - Life
 Count XIV - Life
 Count XV - Life
 Count XVI - Life

3. The following crimes encompass the same criminal
 conduct and count as one crime in determining criminal history:

Counts: N/A

4. Possession by the defendant or an accomplice of
 a deadly weapon as defined by RCW 9.94A.125 at the time of
 the commission of the crimes charged in Count(s) N/A

(was) (was not) specially alleged and proven, and N/A

are to be added to the presumptive sentencing range.

1 5. The Court finds that the defendant has a criminal
2 history as set forth in the Declaration of Criminal History
3 previously filed.

4 6. The defendant has served ninety four (94)
5 _____ days of confinement prior to sentencing, said
6 confinement being solely related to the crimes for which the
7 defendant is being sentenced.

8 7. The presumptive sentencing range for this defendant
9 based upon the criminal history related above is as follows:

10 Count III - 129-171 mos. Count XIII - 129-171 mos.

11 Count VII - 129-171 mos. Count XIV - 129-171 mos.

12 Count IX - 129-171 mos. Count XV - 129-171 mos.

13 Count X - 129-171 mos. Count XVI - 129-171 mos.

14 Count XII - 129-171 mos.

15 8. The following facts are found to exist and
16 justify an exceptional sentence outside the presumptive
17 sentencing range:

18 N/A
19 _____
20 _____
21 _____
22 _____

23 II. CONCLUSIONS OF LAW

24 1. The Court has jurisdiction over the defendant
25 and the subject matter.

26 2. The defendant is guilty of the crime(s) set forth
27 above.

28 3. There (~~exist~~) (do not exist) substantial and
29 compelling reasons justifying an exceptional sentence outside
30 the presumptive sentencing range.
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Findings, Conclusions, Judgment and Sentence
(Prison) - 3

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1 III. JUDGMENT AND SENTENCE

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3 The court having determined that no legal cause

4 exists to show why judgment should not be pronounced, now,

5 therefore,

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the

7 defendant is sentenced to a term of confinement as follows:

8 Count III - 171 months

9 Count VII - 171 months

10 Count IX - 171 months

11 Count X - 171 months

12 Count XII - 171 months 171 months total

13 Count XIII - 171 months

14 Count XIV - 171 months

15 Count XV - 171 months

16 Count XVI - 171 months

17 Said terms to run as follows: Consecutive to *JA*

18 to Counts I and II.

19 Further, defendant shall make the following monetary

20 payments:

- 21 1. _____ restitution.
- 22 2. _____ fine.
- 23 3. _____ court costs.

24 Defendant is hereby remanded to the custody of the

25 Clark County Sheriff for detention until delivered into the

26 custody of Officers of the State of Washington, Department of

27 Corrections for transportation to a correctional facility

28 designated by the Department.

29 DONE in Open Court and in the presence of the

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Findings, Conclusions, Judgment and Sentence
(Prison) - 4

1 defendant this 23rd day of May, 1 9 8 5.

2
3 James E. Rulli
JUDGE OF THE SUPERIOR COURT

4
5 APPROVED AS TO FORM:

6
7 James M. Peters
8 Deputy Prosecuting Attorney

9 James E. Rulli
10 Attorney for Defendant

11
12 STATE OF WASHINGTON)
13 : ss
14 COUNTY OF CLARK)

15 I, GEORGE MILLER, County Clerk and Clerk of the
16 Superior Court of the State of Washington, for the County of
17 Clark, holding terms at Vancouver, in said County, do hereby
18 certify that the foregoing is a full, true and correct copy
19 of the Judgment and Sentence in the above-entitled action,
20 now on record in this office.

21 WITNESS my hand and seal of the said Superior Court
22 affixed this 23rd day of May, 1 9 8 5.



GEORGE J. MILLER
Clerk of said County and State

James E. Rulli
Deputy

Findings, Conclusions, Judgment and Sentence
(Prison) - 5